County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 402-09740-2840-050	Date: 6-22-02	Time: 1915	
Location: [redacted] N. WILLOW AVENUE			
City or Station: COMPTON			
Bureau/Station/Facility: COMPTON STATION	Admin. Investigation: YES ☐ NO ☒		

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	SHIRLEY	STEVEN	W
[redacted]	JOHNSON	CHRISTOPHER	L
[redacted]	TAYLOR	KEITH	A

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	57	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]		[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	52	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]		[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	BECERRA	SALVADOR	NONE	SGT	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	PARKER	GARY	J

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	LOPEZ	ROBERT	A

Watch Commander's Signature: [signature] Emp #: [redacted]

Copy Provided to Employee by: ____________ Emp #: ______

Supervisor Completing Form: BECERRA, SALVADOR (Print) Emp #: [redacted]

Unit Commanders Signature: [signature] Emp #: [redacted] Date Signed: 7/29/02

2 - TApes

PSTD Use Only

FO# 206 9074

9/6/02

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

See Reverse

Supervisor's Report on Use of Force

URN: 402-09740-2840-050

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE APPLIED ***(Only One Code Per Block)***

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
E1	S1	TD	SD	FA
E1	S1	PH	AB	FA
E1	S1	CT	CP	AD
E2	S1	TD	SD	FA
E2	S1	PH	AB	FA
E2	S1	CT	CP	AD
E3	S1	CT	NN	NN
E3	S1	RH	NN	NN
E4	S1	CT	NN	NN
E4	S1	RH	NN	NN

SH-R-438 Rev. 10/98

See Front Side

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 402-09740-2840-050

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	FERNANDEZ	MAX	NMN

Sex: ☒ Male ☐ Female | Race: HIS | Unit of Assignment: COMPTON STATION | Work Assignment (Unit #, Module, etc.): 285

Shift: ☐ EM ☐ Day ☒ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: 27 | Height: 509 | Weight: 190

Medical Exam/Treatment ☐ | If Admitted, Name of Hospital: | Coroner Case #: | Directed Force ☐ Significant Force ☒

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	BARRAGAN	EDWIN	NMN

Sex: ☒ Male ☐ Female | Race: HIS | Unit of Assignment: COMPTON STATION | Work Assignment (Unit #, Module, etc.): 285

Shift: ☐ EM ☐ Day ☒ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: 27 | Height: 504 | Weight: 165

Medical Exam/Treatment ☒ | If Admitted, Name of Hospital: U.S.HEALTH-WORKS, COMPTON | Coroner Case#: | Directed Force ☐ Significant Force ☐

E3

Employee #	Last Name	First Name	Middle Name
[redacted]	SUAREZ	KEITH	M

Sex: ☒ Male ☐ Female | Race: HIS | Unit of Assignment: COMPTON STATION | Work Assignment (Unit #, Module, etc.): 281

Shift: ☐ EM ☐ Day ☒ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: 34 | Height: 510 | Weight: 180

Medical Exam/Treatment ☐ | If Admitted, Name of Hospital: | Coroner Case#: | Directed Force ☐ Significant Force ☐

E4

Employee #	Last Name	First Name	Middle Name
[redacted]	ACEBEDO	KEVIN	M

Sex: ☒ Male ☐ Female | Race: HIS | Unit of Assignment: COMPTON STATION | Work Assignment (Unit #, Module, etc.): 284E

Shift: ☐ EM ☐ Day ☒ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: 27 | Height: 508 | Weight: 165

Medical Exam/Treatment ☐ | If Admitted, Name of Hospital: | Coroner Case#: | Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

Medical Exam/Treatment ☐ | If Admitted, Name of Hospital: | Coroner Case#: | Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

Medical Exam/Treatment ☐ | If Admitted, Name of Hospital: | Coroner Case#: | Directed Force ☐ Significant Force ☐

See Other Side

Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 402-09740-2840-050

Suspect Information

S1

Last Name BROWN			First Name ANGUS			Middle Name XAVIER	
AKA Last Name			First Name			Middle Name	
Sex: ☒ Male ☐ Female	Race: BLK	Street Address: [redacted]		City: [redacted]		State & Zip Code: [redacted]	
Work Phone: NMN	Home Phone: [redacted]	Age: 25	Height: 602	D.O.B. 07-06-76	Weight: 175	Armed? ☐	
Booking #: 7325-826	Primary Charge: 273.5 P.C.		Secondary Charge: 2800.3 CVC			Criminal History [redacted]	
Hospital Admission? ☐	Rec'd Treatment At: CHARTER SUBURBAN HOSPITAL			Coroner Case#:		Mental History ☐	
Under Influence: ☐ YES ☒ NO Substance:				Photos of Suspect's Injuries ☐ YES ☒ NO			

Suspect Interview

Date:	Time:		
6-22-02	1915	Audiotape: ☐	Videotape: ☒

Suspect Information

S_

Last Name			First Name			Middle Name	
AKA Last Name			First Name			Middle Name	
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:		State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐	
Booking #:	Primary Charge:		Secondary Charge:			Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:			Coroner Case#:		Mental History ☐	
Under Influence: ☐ YES ☐ NO Substance:				Photos of Suspect's Injuries ☐ YES ☐ NO			

Suspect Interview

Date:	Time:		
		Audiotape: ☐	Videotape: ☐

Suspect Information

S_

Last Name			First Name			Middle Name	
AKA Last Name			First Name			Middle Name	
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:		State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐	
Booking #:	Primary Charge:		Secondary Charge:			Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:			Coroner Case#:		Mental History ☐	
Under Influence: ☐ YES ☐ NO Substance:				Photos of Suspect's Injuries ☐ YES ☐ NO			

Suspect Interview

Date:	Time:		
		Audiotape: ☐	Videotape: ☐

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: 06-22-02

FILE NO. 402-09740-2840-050

FROM: SALVADOR BECERRA JR., SERGEANT
COMPTON STATION

TO: CECIL W. RHAMBO JR., CAPTAIN
COMPTON STATION

SUBJECT: VEHICLE PURSUIT. SIGNIFICANT USE OF FORCE; TAKE DOWN AND FIST STRIKES. LESS THAN SIGNIFICANT USE OF FORCE; CONTROL HOLDS.

Date / Time: June 22, 2002, 1915 hrs.

Location: [redacted] N. Willow Avenue, Compton.

Suspect: Angus Xavier Brown MB/07-06-76

Witness (s): **(#1)** [redacted]

(#2) [redacted]

Involved Personnel:

Name	Employee #	Primary/Witness
Max Fernandez	[redacted]	Primary
Edwin Barragan	[redacted]	Primary
Keith Suarez	[redacted]	Primary
Kevin Acebedo	[redacted]	Primary
Christopher Johnson	[redacted]	Witness
Steven Shirley	[redacted]	Witness
Keith Taylor	[redacted]	Witness
Salvador Becerra	[redacted]	Supervisor

Summary:

I responded to [redacted] regarding an advisement that deputies were attempting to detain a 273.5 P.C. suspect. As I rounded the corner of Sante Fe Avenue at Palmer Street, I saw a vehicle, driven by the suspect, speeding off of Rose Avenue onto Palmer Street. I saw several radio cars directly behind him and was now hearing the pursuit being broadcasted. While I was still some distance away from the suspect, I could see that he was speeding because as the suspect attempted to make a left hand turn, his vehicle lurched and tipped causing the right side of his vehicle to dip so considerably that I thought the right side of his front bumper was going to touch the pavement. I lost sight of him, but saw that several units were directly behind him, while they simultaneously broadcasted the pursuit. Assuming that the vehicle would proceed in a north bound direction, I drove north bound on Sante Fe Avenue, presumably paralleling the pursuit. I continued driving north bound paralleling the units using their broadcast as a guide. Unit 285 became the primary unit and advised us that the suspect's vehicle had crashed into the south east curb at [redacted] N. Willow Avenue.

On scene, I spoke with the primary unit (Deputies Fernandez and Barragan). They told me that as the suspect approached the corner of Willow Avenue and Tucker Street, the suspect attempted to exit the vehicle while it was still in motion. The vehicle stopped by crashing into the corner completely disabling the vehicle. The suspect quickly exited the vehicle and began to direct profanity at the deputies. Deputy Fernandez, walked up to the suspect and grabbed his left arm. The suspect quickly jerked away and yelled, something to the effect of, "Man, I ain't doing nothing." Deputy Fernandez grabbed his arm, this time securing a firm grip on his sleeve and supported his grip by placing his other hand on the suspect's shoulder. The suspect again jerked his arm and contorted his body trying to free himself from the grasp. Deputy Fernandez was able to maintain his grip, but the suspect's attempt to contort his body forced Deputy Fernandez to pull the suspect off balance. Deputy Fernandez attempted to maintain his control, but was forced to throw the suspect down onto the pavement.

As the suspect fell, Deputy Barragan was trying to assert his control over the suspect by grabbing his other arm. The suspect continued to jerk his arms free, by squirming and contorting his body. The suspect, now face down on the pavement, placed his hands underneath himself while the deputies tried in vain to grab his arms to secure the handcuffs on him.

Due to the fact that the suspect had attacked his wife/girlfriend, evaded the deputies in vehicle pursuit, and was uncooperative at the terminus, the deputies believed he was reaching for a weapon in his waistband area and struck him several times in the face, shoulders, and torso. The suspect continued to keep his hands in his waistband and the deputies continued to order to him to stop resisting.

At this point, responding units began to arrive. Deputies Suarez and Acebedo were the first to arrive. They saw the aforementioned and ran to assist. They saw the difficulty Deputies Fernandez and Barragan were having and saw them strike the suspect several times in the face, shoulders, and torso. They saw that the suspect kept his face down on the pavement and would not submit to the deputies request. They assisted by applying their entire body weight on the suspect's back and secured his legs. They maintained their position on top of the suspect until they heard that the handcuffs had been applied.

Statements:

Deputy Fernandez's, #[redacted], verbal account of the incident is essentially the same as found in this report. Please see his attached supplemental report for the details of his account.

Deputy Barragan's, #[redacted], verbal account of the incident is essentially the same as found in this report. Please see his attached supplemental report for the details of his account.

Deputy Suarez's, #[redacted] verbal account of the incident is essentially the same as found in this report.

Please see his attached supplemental report for the details of his account.

Deputy Acebedo's, #[redacted], verbal account of the incident is essentially the same as found in this report. Please see his attached supplemental report for the details of his account.

Deputy Johnson's, #[redacted] verbal account of the incident is essentially the same as found in this report. He added that he saw struggle and did not see any deputies strike the suspect with flashlights or batons. Please see his attached supplemental report for the details of his account.

Deputy Shirley's, #[redacted], role was that of the advising unit in the pursuit. He did not see any specific use of force actions by deputies, only the collective effort of several deputies in order to arrest the suspect. His supplemental report details the sequence of events of the pursuit (it's beginning to it's terminus). Please see his attached supplemental report for the details of his account.

Deputy Taylor's, #[redacted], role was that of the advising unit in the pursuit. He was the partner of Deputy Shirley. His account is identical to that of Deputy Shirley. To reiterate, he did not see any specific use of force actions by deputies, only the collective effort of several deputies in order to arrest the suspect. His supplemental report details the sequence of events of the pursuit (it's beginning to it's terminus). Please see his attached supplemental report for the details of his account.

Suspect statements:

I interviewed the suspect on video tape. I saw that he had blood on the bridge of his nose and blood was dripping from a cut on his right cheekbone. I asked him what had happened. He said, "They fuckin' charged me. They told me to quick fuckin' resisting, but I wasn't fuckin' resisting." I asked him for the details of the force and he repeated the mentioned statements.

He was uncooperative towards me and the attending Firemen. He kept referring to his girlfriend and directing profanity at us. All this was caught on tape.

Investigators Note: For the purposes of this report, I will not transcribe the video tape verbatim. I will only deal with the aspects of the use of force and the sequence of events that preceded it.

At the hospital, I saw that the suspect had a bruise on his forehead above his left eye, a bruise on his cheekbone below the left eye, a scratch on his right shoulder, and saw a ½ inch cut below the right eye. I asked him if he had any other injuries or any complaints of pain. He mentioned the injuries I described and also mentioned that his right middle finger hurt and the ribs on his left side hurt.

I asked him again what happened. He said, "I was arguing with my girlfriend and when you guys rolled up, I panicked and ran." I asked him what had happened at the end of the pursuit. He said, "They were kicking and stomping on me, and they were hitting me with their flashlights on my head and body. They grabbed my head and punched me on the left side of my face." I asked him if he was resisting. He said, "No." He added that he exited his vehicle on his own, claimed he did not crash at the terminus of the pursuit and submitted by laying down on the pavement on his own accord.

Witness Statements:

I contacted Witness #1, [redacted]. She said she saw police cars driving down her street at a high rate of speed . She looked out her window, but could not see anything because their was a van parked in her line of sight.

She went outside and walked to the van and peered around it and saw several deputies pushing the suspect to the ground and handcuffing him. She said the deputies beat him while he was handcuffed. She said she saw the deputies using their billy-clubs (referring to their batons) hitting the suspect on the arms and back. She said the deputies finally pulled him off the ground and she saw that he was bleeding from his face. I asked her if she knew the suspect and she said, "No." I asked her if the suspect was hit before or after he was handcuffed. She said, "after." I asked if she could identify any particular deputy who used force. She said, "No."

I contacted Witness #2, who told me the following. She said she looked out of her front bay window because she heard a lot of noise coming from the area of her front yard. She said as she looked outside she saw the suspect on the ground struggling as the deputies were trying to control him. She said the deputies continued to struggle with the suspect. She could see the suspect moving about on the ground. She was in her kitchen when she heard the initial noise that drew her attention. She went back to the kitchen to turnoff the stove and when she returned, the suspect had been handcuffed and was being placed in the backseat of a radio car.

I went to [redacted] N. Willow Avenue, to check for any additional witnesses, but no one was home.

I went to [redacted] and contacted a male black, who refused to give his name and refused to answer any of my questions. He even refused to tell me if he had or had not witnessed the incident.

Doctor's Statement:

Doctor Debra Lewis, of Suburban Medical Center, 16453 S. Colorado Ave, Paramount, (562-531-3110) examined the suspect. Because of his facial injuries, she ordered a complete set of X-rays. After reviewing the X-rays, she said that their was a possibility that he may have a fractured left rib.

I asked her if she could come to a conclusion. She said she noticed a small irregularity in the region he complained of pain. She said she could not reach a conclusion and that a Radiologist would determine whether or not there was an injury to that area. Radiologist, Dr. Vincent Esposito, reviewed the X-rays and determined that there was no fracture.

I asked Dr. Lewis if she could determine if the suspect's injuries were caused by flashlight strikes, fist strikes, or hitting the pavement. She said the scratches on his face appeared to have been caused by scrapping against the pavement. As to the bruises on the face, she could not conclude with any level of accuracy whether they were caused by fists or flashlights. She did not notice any injury to the suspect's right middle finger. She applied five stitches on the cheekbone underneath the suspect's right eye and cleared him for booking.

Conclusion:

After reviewing all the statements made by all parties involved, It is my opinion that the deputies performed a controlled takedown, which most likely caused the abrasions to his face and the cut underneath his right eye. I conclude that the deputies struck the suspect in the face, shoulders and torso, adding to the abrasions to his face and the possibility of the injured rib.

However, I did not find any supporting evidence of flashlight or baton strikes. While the suspect claimed he was beaten with flashlights and/or batons, there was no evidence to support this.

Flashlight or baton strikes would most likely cause a greater amount of trauma than that experienced by the suspect. The extent of the suspect's injuries were abrasions, contusions, and five stitches. None of the deputies claimed to have used a flashlight or baton. None of the witnessing deputies made mention of it.

Their was one civilian witness that supported the suspect's claim that he was hit with flashlights or batons, but her claim seems unplausible. She claimed the suspect was beaten after the suspect was handcuffed, while the suspect claims he was beaten prior to being handcuffed. She also claimed the beating occurred on the sidewalk, as opposed to on the street.

Investigators Note: On scene, I began to attempt to locate witnesses. As I arrived minutes after the terminus, there was a large crowd forming. I attempted to locate witnesses within this crowd to no avail. I took notice to everyone that was outside and video taped the scene. It seemed as though the crowd gathered in the aftermath and no one observed the use of force.

For purposes of accuracy, I video taped my vain attempts to locate any witnesses. The possibility exist that Mrs. [redacted] could have witnessed the incident from her kitchen window, but she claimed she was outside on the street as it occurred. A review of my video tape did not show her. As mentioned the possibility exist, but its highly unlikely. I conclude that her version is questionable.

After reviewing the force policy, supported by the actions of the suspect, I conclude that the force used (take downs, personal weapon strikes, and control holds) was within policy. I recommend no further action be taken.

Attachments:

Supervisors Memo to Captain
Supervisors Report on use of force
Copy of the Complaint Report and Supplemental Reports
Copy of Medical Clearance
Copy of the in service
Copy of the call/tag
Copy of force review cover sheet
Copy of force incident check list
Copy of CARS form
Copy of force review package sheet
Videotape

761551N25A-SH-AD32A (2/72)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE July 23, 2002

OFFICE CORRESPONDENCE

FILE NO. 402-09740-2840-050

FROM: ROBERT A. LOPEZ, SERGEANT
COMPTON STATION

TO: CECIL RHAMBO, CAPTAIN
COMPTON STATION

SUBJECT: SIGNIFICANT USE OF FORCE-DIRECTED-TAKE DOWN

I have reviewed Sergeant Becerra's assessment of this incident and agree with the conclusion drawn by him. The deputy's use of a take-down to control the suspect was appropriate based on the situation.

I viewed the video tape of the suspect's injury and am satisfied that the injury was minor and that the approval for booking by medical personnel was appropriate.

I recommend no further action be taken.